

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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JACK ROGERS and PAUL PINELLA,

Plaintiffs,

v.

COMCAST CORPORATION and  
AT&T BROADBAND,

Defendants.

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) Case No. 04-10142-EFH  
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) Harrington, S.D.J.  
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**DEFENDANTS' MOTION TO  
STAY PROCEEDINGS PENDING APPEAL**

Defendants hereby move for an order staying proceedings in this Court until the First Circuit resolves Defendants' pending appeal from this Court's denial of Defendants' motion to compel arbitration. The reasons supporting such a stay are set forth in the accompanying memorandum.

Counsel for Defendants sought but did not obtain Plaintiffs' consent to this motion.

Respectfully Submitted,

/s/ Christopher F. Robertson

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